



July 7, 2016

FILE REF: R-2016-0111  
WPDES Permit #: WI-0063533

Ex. 6 Personal Privacy (PP)

Central Sands Dairy LLC  
Po Box 330  
Bancroft, WI 54921

Subject: Conditional Approval Modification of Plans and Specifications for a Groundwater Monitoring Plan (Phase II) for Central Sands Dairy, LLC, SW¼, Sec 12, T20N, R4E, Armenia Township, Juneau County

Dear Mr.

Ex. 6 Personal Privacy (PP)

The Office of Business Support and External Services of the Wisconsin Department of Natural Resources (DNR) conditionally approves the Phase II Groundwater Monitoring Plan submitted under the signature of Robert Nauta, P.G., RJN Environmental Services, LLC (RJN), dated and received May 16, 2016. The plans and specifications were accompanied by a letter from Cameron Field, Michael Best & Friedrich, submitted in response to the DNR public notice of intent to modify the WPDES Permit held by Central Sands Dairy (CSD). This approval also modifies the Phase I Groundwater Monitoring Plan approval dated September 26, 2014 (DNR Project # R-2015-0235).

The plans and specifications were reviewed in accordance with s. 281.41 and ch. 283, Wis. Stats., and chs. NR 243, NR 214 and NR 140, Wis. Adm. Code. This approval allows construction of the groundwater monitoring wells to commence within a period of two years from the approval date; a new written approval is required if work commences later, or occurs over a longer period without continuous work (other than construction delay by weather). However, the due dates in the WPDES Permit Schedule take precedence.

Questions may be directed to the DNR regional staff, Tyler Dix, or the DNR engineer, Gretchen Wheat. Questions specific to the groundwater monitoring well placement and construction may also be directed to the DNR hydrogeologist, Laura Chern. (Contact information for each of these DNR employees is provided in the "cc" list at the end of this letter.)

**Background Information:** CSD is an existing large Concentrated Animal Feeding Operation (CAFO) with a WPDES Permit. On April 20, 2016, the DNR issued a public notice of intent to modify the WPDES Permit to address groundwater monitoring, including requirements for the existing (Phase I) groundwater monitoring wells and additional (Phase II) groundwater monitoring wells.

**Description:** Regarding the Phase II wells proposed by the DNR, RJN requested somewhat different locations for wells N, O and P. RJN also proposed moving nested wells L and M 1,400 feet to the south. Additionally, RJN requested elimination of the requirement for wells Q and S. Regarding the Phase I wells, RJN requested to replace CSD-4 at a somewhat different location.

In consideration of RJN's proposal, the DNR has made changes to the required locations for the Phase II wells N, O, and P. The DNR has not changed the number of Phase II wells required, and has not approved replacement of well CSD-4. The DNR is also still requiring an additional groundwater monitoring well nest (L and M) to determine background groundwater quality upgradient of crop field RDO-12 which is used for manure irrigation by CSD. RDO-12 is located immediately north and upgradient of the production area. Monitoring requirements will be specified in the WPDES Permit.

Additional detail regarding the monitoring wells is provided in the enclosed memo from Laura Chern. The well names used herein (L, M, N, O, P, Q, R and S) are only for the purpose of communicating the monitoring well requirements. CSD may name the wells differently for identification and reporting purposes.

**Conditions of Approval:** The Approved Phase II Plan (DNR Project # R-2016-0111) is hereby approved in accordance with s. 281.41 and ch. 283, Wis. Stats., subject to applicable portions of chs. NR 243, NR 214 and NR 140, Wis. Adm. Code, and the following conditions.

1. Notification: Prior to construction and when construction is complete, CSD shall notify the DNR regional contact and county contact listed in the cc list at the end of this letter. A minimum 24 hours advance notice shall be provided to allow for inspection during construction and development of the wells.
2. Septic Drain Field: The septic drain field location shall be verified by CSD and documented to the DNR.
3. Well Design: The groundwater monitoring wells shall be constructed in accordance with the specifications in ch. NR 141, Wis. Adm. Code, except the following variances are acceptable.
  - a. The well screens of the water table observation wells may have a maximum length of 20 feet (instead of the maximum 15 feet specified in ch. NR 141) if needed to address groundwater level fluctuation.
  - b. Topsoil or native soil of a maximum thickness of 1 foot (instead of 2 inches) may be placed over a bentonite Ground Surface Seal.
4. Well Locations:
  - a. Well nest L and M shall consist of a water table observation well and a piezometer, and shall be constructed at the locations shown in the attached Figure 1 and Figure 4. This well nest is to monitor a field used for spray irrigation of manure, as authorized by s. NR 243.15(7) and ch. NR 140, Wis. Adm. Code, as a source of contaminants in CSD-4.
  - b. Wells N, O, P, Q, R and S, shall each consist of a water table observation well, and shall be located as shown in the attached Figure 4. These wells are to monitor the CAFO production area, as authorized by s. NR 243.15(7), Wis. Adm. Code.
  - c. Well CSD-4R may be installed at the option of the owner, and if installed shall consist of a water table observation well located as shown in the attached Figure 2. Existing well CSD-4 shall not be abandoned, and shall continue to be monitored. If well CSD-4R is installed, after several rounds of sampling, results may be submitted to the DNR for approval of well CSD-4R to replace well CSD-4.
5. Water Level Measurement: Monitoring wells O, P, S, CSD-1S, and R shall have an automated pressure transducer (or equivalent equipment) to continuously measure the water level around the lagoon waste storage facility (WSF). At least one automated pressure transducer shall also read barometric pressure. For a minimum of 1 year, water level data shall be collected hourly and corrected for barometric pressure changes, to determine the frequency that the water table is above the WSF floor.
6. Inspections: During construction and development of groundwater monitoring wells, inspection and oversight shall be performed by a Wisconsin registered P.G. (Professional Geologist).
7. Post-Construction Report: Within 60 days of well installation, post-construction documentation shall be submitted under signature of a P.G. to the DNR for review. CSD shall submit an electronic copy of the post-construction report using the DNR e-Permitting system, <http://dnr.wi.gov/permits/water/>, and submit one paper copy to Laura Chern. Also, CSD shall notify the DNR regional contact that a post-construction report has been submitted. The post-construction report shall be prepared in accordance with the Conditions of Approval 2. to 7., and ch. NR 140, Wis. Adm. Code, and include the following:
  - a. An as-built site map in accordance with s. NR 141.065, Wis. Adm. Code.
  - b. For each new groundwater monitoring well, CSD shall complete each of the following DNR forms:
    - i. DNR Form 4400-113A (Rev. 7-98) "Monitoring Well Construction".
    - ii. DNR Form 4400-113B (Rev. 7-98) "Monitoring Well Development".
    - iii. DNR Form 4400-122 (Rev. 7-98) "Soil Boring Log Information".
    - iv. DNR Form 4400-67 (Rev. 9-95) "Groundwater Monitoring Inventory".
    - v. DNR Form 4400-89 (Rev. 7-89) "Groundwater Monitoring Well Information".

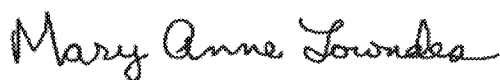
- c. CSD shall complete and submit provide DNR Form 3300-005 (Rev. 4-08) “Well/Drillhole/Borehole Filling and Sealing” for each borehole greater than 10 feet deep that cannot be developed into a well, and must be abandoned in accordance with s. NR 141.25, Wis. Adm. Code.

**Limitation of Approval:** The DNR reserves the right to order changes or additions should conditions arise making this necessary. This approval is not to be construed as a DNR determination on issuance of a Wisconsin Pollutant Discharge Elimination System Permit or opinion on the ability of the proposed system to comply with effluent limitations in a permit; compliance with the Wisconsin Environmental Policy Act; or approval for activities requiring a permit under ch. 30 or 31, Wis. Stats. Where necessary, plans and specifications should be submitted to the Department of Safety and Professional Services or other state or local agencies to ensure conformance with applicable codes or regulations of such agencies.

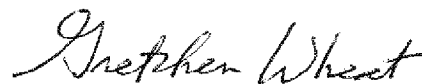
**Tax Treatment:** Tangible personal property, that becomes part of a waste treatment or pollution abatement plant or equipment, may be exempt from sales tax under s. 77.45(26), Wis. Stats. Similarly, property purchased or constructed as a waste treatment facility and used for industrial waste treatment may be exempt from general property taxes under s. 70.11(21), Wis. Stats. A prerequisite to exemption is filing a statement on prescribed forms. To obtain the forms, and information about this sales tax exemption, please contact the Department of Revenue, P.O. Box 8933, Madison, WI 53708, or check their website <http://www.revenue.wi.gov/>.

**Appeal Notice:** If you believe that you have a right to challenge this decision, you should know Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file a petition with the appropriate circuit court and serve the petition on the Department. Petition for judicial review must name the Department of Natural Resources as the respondent. To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. Requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. Filing a request for a contested case hearing does not extend the period for filing a petition for judicial review.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES  
For the Secretary



Mary Anne Lowndes  
Chief, Runoff Management Section  
Bureau of Watershed Management



Gretchen Wheat, P.E.  
Water Resources Engineer  
Bureau of Watershed Management

Encl: Memo from Laura Chern, to Mary Anne Lowndes and Gretchen Wheat, dated 7/6/2016,  
subject “Response to comments on Permit Modification (WI-0063533-02-1) Central Sands Dairy, LLC  
(CSD)”

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